

Petition Number: 0912-0540Date of Filing: 11/3/09

**Application for VARIANCE OF DEVELOPMENT STANDARD**  
**Westfield – Washington**  
**Board of Zoning Appeals (BZA)**

This application must be completed and filed with the Community Services Department of the City of Westfield, Indiana in accordance with the meeting schedule.

1. Appellant's Name Joseph A. Pettijohn a member of MJSR Property Management LLC  
 Address 2930 E. 236 St  
Cicero, In 46034  
 Telephone Number 317-844-7964  
 E-Mail Address pettijohn58@aol.net
  2. Landowner's Name MJSR Property Management LLC  
 Address P.O. Box 1080  
Westfield, In 46074  
 Telephone Number 317-844-7964
  3. \*Representative \_\_\_\_\_  
 \*Address \_\_\_\_\_  
 \_\_\_\_\_  
 \*Telephone Number \_\_\_\_\_  
 \*Email Address \_\_\_\_\_
- \*If the applicant is not presenting a petition, please provide contact information for the party representing the applicant.
4. Common description of property (address, location, etc.)  
19825 Moontown Rd. / 19775 Moontown Rd.  
Noblesville, In 46062 / Noblesville, In 46062
  5. Legal description of property (list below or attach)  
= See attached = Parcel II on Warranty Deed  
Parcel 5B on Survey  
also Parcel I on Warranty Deed and 5A on Survey
  6. Complete description of the nature of the development standard variance applied for:  
Request of variance to reduce road frontage of Parcel II  
per requirement from 250' to 237' which would allow  
for legal subdivision

7. **ALL SITE PLANS SHALL BE LEGIBLE AND DRAWN TO SCALE.** Site plans must accompany this application and must depict at a minimum:

- a. Lot(s) shape and dimensions;
- b. Location and dimensions of existing and proposed structures;
- c. Location and dimensions of existing and proposed points of ingress and egress; and
- d. All topographic and natural features and/or other unusual characteristics associated with the property.

8. The Applicant must address the following criteria and establish at the public hearing that each of the following is true in order to obtain a favorable determination from the BZA.

*No variance of development standard shall be granted unless the BZA finds all of the following to be true:*

- a. That the approval of such variance of development standard will not be injurious to the public health, safety, morals, and general welfare of the community:

*The above is true.  
The property is zoned residential/agricultural and  
no zoning changes are needed*

- b. That the use and value of the area adjacent to the property included in the variance of development standard will not be affected in a substantially adverse manner:

*The above is true  
Only the reduction of 13' of road frontage is  
requested to allow for future residential home site*

- c. That the strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the subject property:


*The above is true.  
The practical use of the 6.538 acre property is for a residential  
homesite, however it lacks 13' of road frontage necessary  
to meet the current residential zoning ordinance.*

CITY OF WESTFIELD, INDIANA

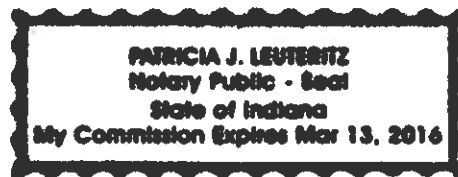
The Appellant hereby certifies that the information contained in and accompanying this application is true and correct.

  
Applicant

SUBSCRIBED AND SWORN TO ME THIS 3rd DAY OF November, 2009.

  
Notary Public

My commission expires: 3/13/2016



CITY OF WESTFIELD, INDIANA

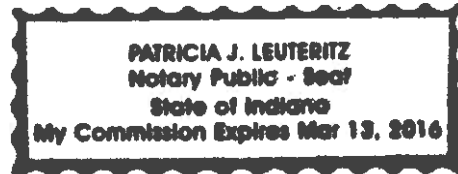
The Appellant hereby certifies that the <sup>AMENDED</sup><sub>A</sub> information contained in and accompanying this application is true and correct.

Joseph A. Pettigall  
Applicant

SUBSCRIBED AND SWORN TO ME THIS 28th DAY OF December, 2009.

Patricia J. Leuteritz  
Notary Public

My commission expires: 3/13/2016



DULY ENTERED FOR TAXATION  
Subject to final acceptance for transfer

8 day of Oct, 2002

200200074548  
Filed for Record in  
HAMILTON COUNTY, INDIANA  
MARY L. CLARK  
10-08-2002 02:53 PM.  
WARR DEED 16.00

Robin M. Miller Auditor of Hamilton County

Parcel # 08-06-20-00-00-  
08-06-20-00-00

### Warranty Deed

Parcel No. 08-06-20-00-00-015.101

This Indenture Witnesseth, that Todd S. Coombes and Dawn E. Coombes, husband and wife ("Grantor") of Hamilton County, State of Indiana, CONVEYS AND WARRANTS to MJR Property Management, LLC, an Indiana limited liability company, for the sum of One and no/100 Dollars (\$1.00) and other valuable consideration, the receipt of which is hereby acknowledged, the following described real estate in Hamilton County, in the State of Indiana:

#### Parcel I

Part of the South Half of the Southeast Quarter of Section 20, Township 19 North, Range 4 East of the Second Principal Meridian, in Washington Township, Hamilton County, Indiana, described as follows:

Commencing at the Southwest corner of said Half-Quarter Section marked by a railroad spike; thence North 90 degrees 00 minutes 00 seconds East (assumed basis of bearings), along the South line of said Half-Quarter Section, 1354.36 feet to a Mag Nail; thence North 00 degrees 59 minutes 41 seconds West 671.96 feet to a 5/8" rebar with red cap; thence North 89 degrees 57 minutes 13 seconds East 374.38 feet to an iron pin with aluminum cap at the Northwest corner of the real estate conveyed to Robert N. Manwaring by deed as recorded in Instrument No. 9438480 in the Office of the Recorder of Hamilton County, Indiana, and the Point of Beginning of this description; thence North 00 degrees 52 minutes 30 seconds West 251.81 feet to a 5/8" rebar with red cap; thence South 89 degrees 55 minutes 54 seconds East 933.85 feet to a Mag Nail on the East line of said Half-Quarter Section; thence South 00 degrees 36 minutes 03 seconds East, along said East line, 250.00 feet to the Northeast corner of the real estate conveyed to Zarada Jackson by deed as recorded in Deed Record 230, page 3 in the Office of the Recorder of Hamilton County, Indiana; thence South 89 degrees 58 minutes 12 seconds West 255.90 feet to an iron pin with aluminum cap at the Northwest corner of said real estate and the Northeast corner of the real estate conveyed Robert N. Manwaring by deed as recorded in Instrument No. 9438480 in the Office of the Recorder of Hamilton County, Indiana; thence South 89 degrees 57 minutes 13 seconds West, along the North line of said real estate, 676.73 feet to the point of beginning and containing 5.374 acres, more or less.

#### Parcel II

19825 Mount Pleasant Rd.

Part of the South Half of the Southeast Quarter of Section 20, Township 19 North, Range 4 East of the Second Principal Meridian, in Washington Township, Hamilton County, Indiana, described as follows:

Commencing at the Southwest corner of said Half-Quarter Section marked by a railroad spike; thence North 90 degrees 00 minutes 00 seconds East (assumed basis of bearings) along the South line of said Half-Quarter Section, 1354.36 feet to a Mag Nail; thence North 00 degrees 59 minutes 41 seconds West 671.96 feet to a 5/8" rebar with red cap; thence North 89 degrees 57 minutes 13 seconds East 374.38 feet to an iron pin with aluminum cap at the Northwest corner of the real estate conveyed to Robert N. Manwaring by deed as recorded in Instrument No. 9438480 in the Office of the Recorder of Hamilton County, Indiana; thence North 00 degrees 52 minutes 30 seconds West 251.81 feet to a 5/8" rebar with red cap and the Point of Beginning of the following description; thence continue North 00 degrees 52 minutes 30 seconds West 397.83 feet to a 5/8" rebar with red cap on the North line of said Half-Quarter Section; thence South 89 degrees 55 minutes 54 seconds East, along said North line, 390.68 feet to a 5/8" rebar with red cap; thence South 00 degrees 34 minutes 56 seconds East 159.43 feet to a 5/8" rebar with red cap; thence South 89 degrees 51 minutes 59 seconds East 545.14 feet to an iron pin on the East line of said Half-Quarter Section; thence South 00 degrees 36 minutes 03 seconds

East, along said East line, 237.75 feet to a Mag Nail; thence North 89 degrees 55 minutes 54 seconds West 933.85 feet to the point of beginning and containing 6.538, acres, more or less.

Subject to taxes for 2001, due and payable in November 2002, and subject to taxes payable thereafter.

Subject to covenants, agreements, easements, restrictions and rights of way of record.

Property Address: 19700 Moontown Road, Noblesville, IN

In Witness Whereof, Grantor has caused this deed to be executed this 30<sup>TH</sup> day of September, 2002.

Dawn E. Coombes  
Dawn E. Coombes

Todd S. Coombes  
Todd S. Coombes

STATE OF INDIANA     )  
                                  )SS:  
COUNTY OF HAMILTON )

Before me, a Notary Public in and for said County and State, personally appeared Todd S. Coombes and Dawn E. Coombes, husband and wife, who acknowledged the execution of the foregoing Warranty Deed, and who, having been duly sworn, stated that any representations therein contained are true.

Witness my hand and Notarial Seal this 30<sup>TH</sup> day of September, 2002.

Signature Dixie S. Eldridge Notary Public  
Printed:

My Commission Expires:

10/8/06  
My County Of Residence Is:

Marion  
HTS# 2023528



DIXIE S. ELDRIDGE  
Res. of Marion County  
Comm. Exp. 10-08-2006

This instrument prepared by David L. Walsh, Attorney at Law, 540 Pennsylvania Street, Indianapolis, Indiana 46220

Please Send Tax Statements to: Grantee 5005 W. 106th Street, Zionsville, IN 46077